

Message Text

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53

ACTION ARA-17

INFO OCT-01 ADP-00 PA-03 PRS-01 USIA-12 L-03 CIAE-00

INR-10 NSAE-00 RSC-01 RSR-01 /049 W

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P 251310 Z MAY 73

FM AMEMBASSY SANTO DOMINGO

TO SECSTATE WASHDC PRIORITY 8160

LIMITED OFFICIAL USE SANTO DOMINGO 2235

E. O. 11652: N/ A

TAGS: PINT

SUBJECT: LIBEL SUIT AGAINST LISTIN DIARIO

1. AN ATTEMPT TO CLOSE THE PRINTING PLANT OF THE PRESTIGIOUS MORNING DAILY LISTIN DIARIO AND ITS AFTERNOON TABLOID ULTIMA HORA WAS AVERTED MAY 24 WHEN LISTIN MANAGEMENT REFUSED TO YIELD TO THE DEMANDS OF A LAWYER SELECTED BY THE COURTS TO ACT AS GUARANTOR OF A LIEN PLACED ON THE NEWSPAPER BY PRESIDENTIAL AIDE SOCRATES (" CHINO") PICHARDO ON MAY 22.

2. ON THAT DATE, PICHARDO BROUGHT A 4 MILLION PESO SUIT AGAINST LISTIN DIARIO UNDER DOMINICAN LIBEL LAW, CLAIMING THAT A MARCH 30 EDITORIAL LINKING HIM TO THE ASSASSINATION OF JOURNALIST GREGORIO GARCIA CASTRO DEFAMED HIS REPUTATION. THE JUDGE OF SANTO DOMINGO' S FOURTH CRIMINAL COURT REDUCED THE AMOUNT TO 1.5 MILLION PESOS AND PLACED A LIEN ON LISTIN' S PHYSICAL PLANT PENDING FINAL SETTLEMENT OF THE LIBEL SUIT.

3. LISTIN REPRESENTATIVES ARGUED THAT THE COURT REPRESENTATIVE HAD NO LEGAL RIGHT TO REMOVE ANY OF COMPANY' S EQUIPMENT USING THE LIEN AS A PRETEXT. ACCORDING TO PRESS ACCOUNTS, LISTIN AND ULTIMA HORA WILL CONTINUE TO PUBLISH WHILE CONTESTING THE SUIT IN THE COURTS.

COMMENT: IT IS UNCLEAR WHO IS BEHIND PICHARDO' S ACTION AGAINST LISTIN ALTHOUGH IT IS UNLIKELY THAT HE IS ACTING ALONE IN TAKING
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ON THE COUNTRY'S MOST INFLUENTIAL NEWSPAPER. PICHARDO'S LEGAL CASE AGAINST LISTIN SEEMS CONTRIVED AND INDEFENSIBLE, PROBABLY DESIGNED MORE TO HAL RETAINER PLUS FIXED FEE FOR SALES, RATHER THAN PERCENTAGE COMMISSION. GE REP EXPRESSED CONCERN THAT GOP DECISION TO FORCE SUPPLIERS TO BACK AWAY FROM COMMISSION, WHICH IN THEIR CASE WAS PROVIDED FOR IN CONTRACT EXECUTED THREE YEARS AGO WITH LOCAL AGENT (COPY OF WHICH HAD BEEN SUBMITTED TO FINANCE MINISTRY) COULD SUBJECT COMPANY TO LITIGATION IN U. S. REGARDING FINANCING ARRANGEMENTS, PRUITT REPORTED THAT PIA HAD BEEN APPROACHED BY LONDON FINANCIAL INSTITUTION ASSOCIATED WITH QATAR OFFERING LOAN ON EASY TERMS. PIA HAD THEN ASKED MCDONNELL- DOUGLAS FINANCE CORP. TO LOOK INTO THIS AND GIVE PIA ITS ASSESSMENT, MAKING CLEAR THAT PIA HAD NO FORMAL ARRANGEMENT WITH QATAR OUTFIT. HOWEVER, WHEN MDC OFFICIALS HAD MET WITH QATAR GROUP REPRESENTATIVES IN LONDON , LATTER HAD FRAUDULENTLY CLAIMED TO BE AGENT OF PIA. HE SURMISED THAT MINISTER'S SECOND POINT WAS RELATED TO THIS EPISODE. LIKE BOEING REP, PRUITT STRESEED THAT MDC HAD MADE TREMENDOUS CONCESSIONS TO GOP, EVEN AGREEING TO MAKE DEPOSIT PAYMENTS REFUNDABLE. HE EXPRESSED CONCERN ABOUT EFFECT THESE CONCESSIONS WOULD HAVE ON FUTURE MDC NEGOTIATIONS.

8. BOEING GROUP LEFT ISLAMABAD FOR KARACHI MAY 24
AND MDC GROUP PLANS TO LEAVE WITHIN NEXT FEW DAYS.

DECONTROL 6/30/74
SOBER

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*** Current Classification *** LIMITED OFFICIAL USE

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